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C O N F I D E N T I A L SECTION 01 OF 02 YEREVAN 001261

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TAGS: PREL PHUM PGOV AM

SUBJECT: MONITORING BOARD CALLS ARMENIAN PRISON CONDITIONS  
"UNSATISFACTORY"

REF: 04 YEREVAN 1792

Classified By: DCM A.F. Godfrey for reasons 1.4 (b, d).

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SUMMARY  
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¶1. (SBU) Conditions in Armenian prisons remain "unsatisfactory" despite some improvements, according to a report by Armenia's Civil Society Monitoring Board (CSMB). On June 30, CSMB members hosted a roundtable discussion where they announced the results of inspections they conducted from June through November 2004. Ministry of Justice Prisons Department Head Samvel Hovannisian immediately derided members for assertions that physical abuse, medical neglect, and poor conditions remain problems in Armenian prisons. Hovannisian dismissed many of the CSMB's recommendations as financially unrealistic. The GOAM has no obligation to implement CSMB recommendations. End Summary.

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PRISON CONDITIONS FALL SHORT OF INTERNATIONAL STANDARDS  
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¶2. (SBU) In a June 30 roundtable event covered by news media, members of the MOJ-accredited Civil Society Monitoring Board (CSMB) released the CSMB's first report on prison conditions in Armenia. According to CSMB Chairman Temik Khalapyan, members completed more than 20 scheduled and unscheduled prison visits from June 1 through November 5, 2004. Khalapyan said that though the system improved over the inspection period, prison conditions remained "horrible." CSMB members described chronic problems including unsanitary living conditions, denial of visitor privileges, medical neglect and, in the most extreme cases, physical abuse. MOJ Prisons Department Head Samvel Hovannisian, who participated in the roundtable, said that insufficient funding to invest in infrastructure remained the most pressing problem for the GOAM.

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ESCAPEE BEATEN BY POLICE  
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¶3. (U) Thirty-year-old Mher Yenokyan, convicted of murder and imprisoned for life, escaped from a prison in Goris on December 9, 2004. By late January 2005, police had captured and transferred Yenokyan to maximum security Nubarashen Penitentiary near Yerevan. During the roundtable, CSMB member Mikael Abramyan claimed Yenokyan, whom he personally visited, appeared in court "with appalling signs of abuse." CSMB Chairman Khalapyan, who visited Yenokyan "a few days" after the incident, claimed "it was obvious that Yenokyan was tortured." In response to their accusations, MOJ Prisons Department Head Samvel Hovannisian asserted to roundtable participants and press covering the event that guards believed Yenokyan was planning another escape and used justified force to punish him and to obtain details about his plans.

¶4. (C) Comment: In separate meetings after the roundtable, Khalapyan and CSMB member Avetik Ishkanyan privately told us that they believed the severity of abuse in the Yenokyan case was uncommon. Khalapyan and Ishkanyan both claimed that prisoners are more likely to suffer physical abuse in pre-trial detention where, they asserted, law enforcement officials force confessions. Neither member could substantiate the claims, however, because the CSMB has been unable to negotiate terms of access to inspect police detention facilities. End Comment.

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CSMB RECOMMENDATIONS MIRROR EUROPEAN STANDARDS  
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¶5. (SBU) CSMB recommendations largely echoed the April 2005 Helsinki Committee report on prisons in Armenia. Recommendations included continued monitoring, training on par with international standards for prison guards and administrators, a standard mechanism for reporting human rights violations, and enforcing humane treatment conventions. The CSMB also recommended cost reduction

through prisoner participation in system improvements and adherence to international minimum standards for physical size, capacity, and furnishing of prison cells. CSMB members claimed that legislative loopholes, including the absence of a technical definition for torture, provided abusive law enforcement authorities excuses to avoid responsibility.

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MOJ LIMITS ACCESS TO MONITORS  
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¶6. (C) The CSMB and GOAM could not agree on terms of access to pre-trial detention centers or police stations and, as a result, the report is limited to prison inspections only. Though it is clear that the CSMB actively monitored Armenian prisons throughout the short reporting period, the MOJ is not legally obligated, and does not appear fundamentally motivated, to implement the CSMB's recommendations. MOJ Prisons Department Head Samvel Hovannisian demonstrated surprising disregard for basic prisoner rights and deflected responsibility for the system's chronic infrastructure problems. He claimed the CSMB and NGOs wasted foreign aid that his department could have better utilized "to fix the problem." The MOJ is drafting a response to the CSMB's recommendations.

EVANS